



PA-5839-0-AW-USA
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hardaway et al.

Serial No.: 07/815,782

Group Art Unit: 1109

Filing Date: 01/02/92

Examiner: S. Chaudhry

Atty Docket No.: PA-5839-0-AW-USA

For: TUMBLE METHOD OF RINSING FABRIC IN A HORIZONTAL AXIS WASHER

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Your petitioner, WHIRLPOOL CORPORATION, residing at Benton Harbor, Michigan, represents that it is the owner of the entire right, title and interest as shown by Reel 6016, Frames 308-309 of application Serial No. 07/815,782 filed on January 2, 1992 for a Tumble Method of Rinsing Fabric in a Horizontal Axis Washer. The undersigned has reviewed the document recorded at Reel 6016, Frames 308-309 of Application Serial No. 07/815,782, and certifies that to the best of his knowledge and belief, title to the application referenced therein is in Petitioner. Your Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on copending second Application No. 07/815,784, filed on January 2, 1992 and hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement to run with any patent granted on the instant application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Please charge Deposit Account No. 23-1660 in the amount of \$110.00 which is the fee for this Disclaimer. A duplicate of this Disclaimer is enclosed.

Respectfully submitted,

WHIRLPOOL CORPORATION

Dated: February 12, 1993

By: Daniel F. Hopp
Name: Daniel F. Hopp
Title: Vice President, General
Counsel & Secretary

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on February 12, 1993.

February 12, 1993

Marilyn J. King
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